



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
230 SOUTH DEARBORN ST.  
CHICAGO, ILLINOIS 60604

*extra copy for  
Jim Shafer*

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NIROP FRIDLEY  
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REPLY TO ATTENTION OF:

CONFIDENTIAL--ATTORNEY-CLIENT PRIVILEGE

February 12, 1991

MEMORANDUM

Subject: Comments on Draft Final Community Relations Plan  
For The Naval Industrial Reserve Ordnance Plant,  
Fridley, Minnesota

From: Jerome Kujawa *Jerome Kujawa*  
Assistant Regional Counsel

To: Tom Bloom and Gina Weber  
Remedial Project Manager Office of Public Affairs

Thank you for this opportunity to comment on the draft final community relations plan (plan) for the NIROP NPL site. While there are concerns of a legal nature with at least one aspect of the plan, I offer some comments in an effort to have a plan which would be decidedly more "palatable" to members of the community. I think that the changes I am recommending are important because, after all, this plan is to be used as a way of informing the community of what is going on at the site and of explaining to the public the timing and forum for their participation in decisions concerning response activities. Furthermore, many of the recipients of the plan are local government officials. Oftentimes, members of public interest groups and the local media also might read the plan. Thus, they tend to be people who have an ear to those who "control the pursestrings" for the U.S. EPA, the Navy, and the MPCA. We do not want to include comments in the plan which a local citizen might interpret to portray the local community as uninformed and disinterested, as this plan now does. Therefore, I think that the Navy will be most receptive to these comments. I am attaching a photocopy of the sheets from the plan which contain some of my comments.

1. I think that you, Tom, can easily answer my two questions on the attached page 2-4. I am asking just to be sure we are factually accurate. I believe the Anoka Co. parkland uses Fridley municipal water, but I'm just double-checking this with you.

2. I think that the bottom of page 2-7 is the more logical place to include the last statement on page 2-8, to the effect that groundwater monitoring will be done to check the efficacy of the groundwater pump and treat remedy.

→ 3. On page 3-1 there is a humorous factual error to the effect that 30,000 people live in Fridley, but 1.35 million people work there. This is obviously a misstatement. Do let's obtain the most accurate statistics available.

4. Section 3 on "Chronology of Community Involvement" and "Understanding of Site Identity and Responsible Entities" as well as Section 4 on "Highlights and Objectives" contain several statements concerning a perceived lack of community interest which I think that members of the local community could view to be patronizing, or even downright offensive and antagonistic. Such an effect on "community relations" is the opposite of what we are attempting to achieve. This plan tells members of the community the history of the site, response activities to date, and tells the community both how it has been informed in the past and will be informed in the future of response activities and the citizens' opportunity to comment. It would be more prudent if the plan were to contain a more polished tone, which could evoke positive responses and input from the community. Examples of language which should be greatly toned down, or better yet, entirely rewritten, are:

→ a) on the bottom of page 3-1, "... local residents have displayed little awareness of or concern about environmental problems at [either FMC or NIROP]...";

b) page 3-4 "Public awareness and understanding of the NIROP site is generally low and is often confused with other sites in the area. In many cases, people who have some knowledge of the site history and investigations confuse the FMC site with the NIROP... the general public often associates the NIROP site with other feeral facilities in the area, particuluarly...TCAAP" [In commenting on the community's poor understanding and "confusion," this whole sub-section serves as quite the indictment of the U.S. EPA, Navy, and MPCA efforts to inform the community and immediately begs the question--what are the Navy, the U.S. EPA, and the MPCA doing to rectify that situation and clarify things for the public? I attended the public meeting in May 1990 and do not think that this is a fair assessment of what work was done to inform the community, at least as concerns the September 1990 ROD. The text currently in the plan is a glaringly obvious instance of a contractor being paid to shoot its employer in the foot. If left in tact, this section 3-4 could haunt all three agencies long after RMT has completed work on this project. Finally, once the thought was raised that the community is poorly informed, it is not clearly stated either here or in the last

section of the plan as to how such "confusion" will be avoided in the future.]; and

c) page 4-1, first paragraph "Highlights and Objectives, "Because little public awareness or concern has surfaced during the past several years of site investigation activity...". I offer the following: In an effort to increase public awareness of ongoing investigative and cleanup activities... I think there are plenty of places, such as on page 3-2 and 3-5 which show that there is public interest, for e.g. comments received both at the public meeting and during the comment period before the groundwater remediation ROD was signed in September 1990, and the fact that there is local interest in and representation on the TRC.

Likewise, comments on page 3-2 that:

- a) "There was no public attendance at this [May 1989] meeting.";
- b) in the next paragraph "only two members of the public have perused this material [in the public repository]...";
- c) "several articles appeared in the local papers, but did not generate inquiries from the public" and finally,
- d) in the next paragraph "this article did not generate any further responses from the public..."

are all comments which, even if factually accurate, do absolutely nothing to win over the community's interest or concern from this point forward. Again, even if at certain steps in the process, before U.S. EPA became very involved at the site, there was minimal public interest, I think it more prudent if we stress the interest the public has shown, and not the fact that there were times, in the past, of little to no public expression of interest in environmental issues at NIROP.

5. Tom, see bottom of page 3-4 re: "...currently believed to be..."

6. Again, with a view toward making this more readable for a member of the community, on page 3-5, "Fate of Contaminants" I would include a cross-reference, as was done on page 2-4, that Well 13 is ---feet to the North of NIROP... Also, why not cross-reference why well 13 was singled out as not currently contaminated?

7. Likewise, on page 3-6, in the third paragraph on "Disposition of Recovered Ground Water," I would, for the benefit of members of the community who are probably not well versed in the difference between Phase I and Phase II, clarify that "Phase II treatment" will mean that the groundwater has been

cleaned to safe levels [MCLs of 5 parts per billion]. This is a chance to emphasize a positive aspect of NIROP response activities.

8. Finally, the "Explanation of Post-ROD Significant Changes" on page 4-4 needs to include a reference to the fact that if there are fundamental changes to the ROD, which would require an amendment to the ROD, the public must be afforded the full panoply of process attendant in issuing a proposed plan, i.e. be provided notice of this proposed, fundamental change and an opportunity to comment, both orally and in writing, including at a public meeting, on the proposed fundamental change (amendment) to the ROD.

I would be glad to talk to the Navy if they need further explanation. If there is yet another draft, I'll help you with that as well. Finally, please include me on the mailing list for the final community relations plan.

cc: Deb Garber            ORC  
     Frank Rollins        WMD